

NOTICE OF PROPOSED CHANGES IN REGULATIONS OF THE  
CALIFORNIA DEPARTMENT OF SOCIAL SERVICES (CDSS)

## ITEM # 4 CalWORKs 180-Day Family Reunification Extension

CDSS hereby gives notice of the proposed regulatory action(s) described below. Any person interested may present statements or arguments orally or in writing relevant to the proposed regulations at public hearings to be held October 15, 2003, as follows:

The public hearings will convene at 10:00 a.m. and will remain open only as long as attendees are presenting testimony. The Department will adjourn the hearings immediately following the completion of testimony presentations. The above-referenced facilities are accessible to persons with disabilities. If you are in need of a language interpreter at any hearing (including sign language), please notify the Department at least two weeks prior to the hearing.

Statements or arguments relating to the proposals may also be submitted in writing, e-mail, or by telefax to the address/number listed below. All comments must be received by 5:00 p.m. on October 15, 2003.

CDSS, upon its own motion or at the instance of any interested party, may adopt the proposals substantially as described or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of nonsubstantive, technical, or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption to all persons who testify or submit written comments during the public comment period, and all persons who request notification. Please address requests for regulations as modified to the agency representative identified below.

Copies of the express terms of the proposed regulations and the Initial Statement of Reasons are available from the office listed below or on the internet at <http://www.dss.cahwnet.gov/ord>. Additionally, all the information which the Department considered as the basis for these proposed regulations (i.e., rulemaking file) is available for public reading/perusal at the address listed below.

Following the public hearings, copies of the Final Statement of Reasons will be available from the office listed below.

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California Department of Social Services  
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## CHAPTERS

Chapter 40-100 (General), Section 40-181 (Continuing Activities and Determination of Eligibility); Chapter 42-700 (Welfare-to-Work), Sections 42-710 (18- and 24-Month Time Limit), 42-711 (Welfare-to-Work Participation Requirements), and 42-721 (Noncompliance With Program Requirements); Chapter 44-300 (Aid Payments), Section 44-314 (Maximum Family Grant [MFG]); Chapter 80-300 (Definitions and Forms), Section 80-301 (Definitions); and Chapter 82-800 (Assistance Unit), Section 82-812 (Temporary Absence).

## INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The passage of Assembly Bill (AB) 429, Chapter 111, Statutes of 2001, makes changes to Welfare and Institutions Code Section 11203 as it pertains to the temporary absence of CalWORKs Assistance Unit (AU) members. The revision permits the parents of children who have been removed from the home and receiving out-of-home care, to continue to receive CalWORKs funded services, such as substance abuse and mental health services, if the county determines such services are necessary for family reunification. These regulations insure services, necessary for family reunification, will be available to eligible parents.

## COST ESTIMATE

1. Costs or Savings to State Agencies: Savings of approximately \$404,000 annually, already budgeted in the FY 2003-2004. These savings have already been included in the May Revise 2003 budget due to anticipated reduction in Foster Care assistance costs. There will be no service costs because services are to be funded with the existing single allocation.
2. Costs to Local Agencies or School Districts: Savings of approximately \$1,616,000 annually, already budgeted in FY 2003-2004, due to anticipated reduction in Foster Care assistance costs. There will be no service costs because services are to be funded with the existing single allocation.
3. Nondiscretionary Costs or Savings to Local Agencies: None.
4. Federal Funding to State Agencies: Savings of approximately \$961,000 annually, already budgeted in FY 2003-04, due to anticipated reduction in Foster Care assistance payments. There will be no service costs because services are to be funded with the existing single allocation.

## LOCAL MANDATE STATEMENT

These regulations do impose a mandate upon local agencies but not upon school districts. The mandate does not require reimbursement pursuant to part 7 (commencing with Section 17500) of Division 4 of the California Constitution because implementation of the regulations will result in no costs and may result in savings.

## STATEMENT OF SIGNIFICANT ADVERSE ECONOMIC IMPACT ON BUSINESS

CDSS has made an initial determination that the proposed action will not have a significant, statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states.

STATEMENT OF POTENTIAL COST IMPACT ON PRIVATE PERSONS OR BUSINESSES  
CDSS is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

#### SMALL BUSINESS IMPACT STATEMENT

CDSS has determined that there is no impact on small businesses as a result of filing these regulations because these regulations are only applicable to state and county agencies.

#### ASSESSMENT OF JOB CREATION OR ELIMINATION

The adoption of the proposed amendments will neither create nor eliminate jobs in the State of California nor result in the elimination of existing businesses or create or expand businesses in the State of California.

#### STATEMENT OF EFFECT ON HOUSING COSTS

The proposed regulatory action will have no effect on housing costs.

#### STATEMENT OF ALTERNATIVES CONSIDERED

CDSS must determine that no reasonable alternative considered or that has otherwise been identified and brought to the attention of CDSS would be more effective in carrying out the purpose for which the regulations are proposed or would be as effective and less burdensome to affected private persons than the proposed action.

#### AUTHORITY AND REFERENCE CITATIONS

CDSS adopts these regulations under the authority granted in Welfare and Institutions Code Sections 10553, 10554, 10604, and 11203. Subject regulations implement and make specific Welfare and Institutions Code Sections 10553, 10554, 11203, 11323, 11325.21, 11325.4, 11327.5, 11454, 15204.2, 15204.8, 16501, 16501.1(d), (e), (f), and (g), and 16507; 42 USC 408(a)(10); 42 USC Section 608; 45 CFR 233.20; and Nickols v. Saenz, San Francisco Superior Court Case Number 310867, August 25, 2000.

#### CDSS REPRESENTATIVE REGARDING RULEMAKING PROCESS OF THE PROPOSED REGULATION

Contact Person: Anthony J. Velasquez (916) 657-2586  
Backup: Richard P. Torres (916) 657-2586

#### CDSS REPRESENTATIVE REGARDING SUBSTANCE OF THE PROPOSED REGULATION

Program Contact: Ruth Van Den Berg (916) 654-1786  
Backup: Maria Hernandez (916) 654-1450

#### EMERGENCY STATEMENT

These regulations are to be adopted on an emergency basis. In order to allow interested persons an opportunity to submit statements or arguments concerning these regulations, they will be considered at public hearing in accordance with Government Code Section 11346.4.

AGENDA ITEMS FOR THIS PUBLIC HEARING – October 15, 2003

|         |              |  |
|---------|--------------|--|
| ITEM #1 | ORD #0902-23 | CCL – Criminal Record Exemption Regulations                    |
| ITEM #2 | ORD #1202-27 | Budgeting of the Food Stamp Program Standard Utility Allowance |
| ITEM #3 | ORD #0403-09 | Interim Closure or Removal Pending Arrest Investigation        |
| ITEM #4 | ORD #0703-17 | CalWORKs 180-Day Family Reunification Extension                |